

ENTERED

August 04, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

SARIJINI LEVINE,

Plaintiff,

VS.

DR. J. TAYLOR, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:12-CV-186

ORDER

The Court has received *Martinez* reports from the *amici curiae*.¹ The Texas Attorney General's office has filed a motion to seal the reports (Dkt. 15), which the Court **GRANTS**. The *Martinez* reports and their attachments are now sealed.

Amicus counsel have certified that they served the plaintiff with copies of the *Martinez* reports, but the Court respectfully advises that the most recent address it has for the plaintiff—and the one listed on the TDCJ website—is at the Carol Young Complex, not the Lane Murray Unit.

Because the *Martinez* reports contain legal arguments; refer to exhibits and matters outside the pleadings; and set forth expert opinions regarding the care provided to the plaintiff, the Court converts those reports to motions for summary judgment under

¹ *Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1987); *see also Cay v. Estelle*, 789 F.2d 318, 323 & n.4 (5th Cir. 1986) (discussing the utility of a *Martinez* report). The *amici curiae* who provided the reports are the Texas Attorney General's Office and Defendant Ghassan Ghorayeb, M.D.

Federal Rule of Civil Procedure 56. The Court **ORDERS** the plaintiff to file any response by **September 10, 2016**. Any replies shall be filed by **September 24, 2016**.

The Clerk will provide a copy of this order to the parties and to *amicus* counsel.

SIGNED at Galveston, Texas, on August 4, 2016.

A handwritten signature in cursive script, appearing to read "George C. Hanks, Jr.", written over a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE